

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	
Plaintiff)	Docket No: 21-cr-10348-FDS
)	
v.)	
)	
RAYMOND GAINES,)	
)	
Defendant)	
)	

MOTION FOR DEFENDANT TO BE SENTENCED AT PLEA HEARING

Now comes the defendant, Raymond Gaines, and moves this Honorable Court to sentence him at his Rule 11 hearing. As reason therefor, Mr. Gaines has medical needs that have not been met at his current place of pre-trial detention. His intolerable conditions of confinement are described in an affidavit signed by Gaines and filed under seal on July 28, 2021 [Document 16]. The conditions described have not improved and he continues to suffer. Efforts to have him moved to FMC Devens while pre-trial were unsuccessful. A sentence imposed at the time of his plea hearing will hopefully result in a speedy BOP classification, which will likely result in him being transferred to an FMC. Gaines previously served a sentence at FMC Devens and his medical needs have not changed since that time.

Mr. Gaines faces a 5 year mandatory minimum sentence on Count 3, Firearm in Furtherance. The agreed upon sentencing guidelines range on Counts 1 and 2 is 57-71 months. The Government has indicated in a plea agreement (to be filed soon) that it will ask for a guidelines sentence.

Mr. Gaines asks that he be sentenced to 60 months on the same day as his plea, and to schedule a hearing 90 days later for possible revision of his sentence following the PSI and briefing.

The Government, through AUSA Dawley, objects to this motion.

RAYMOND GAINES
By his Attorney,

/s/Keren Goldenberg
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Date: December 3, 2021

CERTIFICATE OF SERVICE

This is to certify that I have on this day served a copy of the foregoing upon all counsel of record by electronic filing notice.

/s/ Keren Goldenberg
KEREN GOLDENBERG

Date: December 3, 2021